

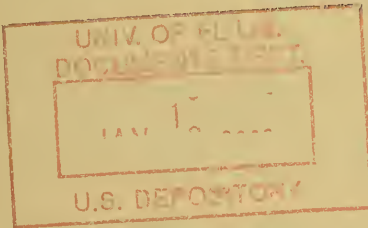
NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

TYPESETTING INDUSTRY

AS SUBMITTED ON SEPTEMBER 6, 1933



The Code for the Typesetting Industry
in its present form merely reflects the proposal of the above-mentioned
industry, and *none of the provisions contained therein are*
to be regarded as having received the approval of
the National Recovery Administration
as applying to this industry

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1933



SUBMITTED BY
INTERNATIONAL TRADE COMPOSITION ASSOCIATION
(11)

CODE OF FAIR COMPETITION FOR THE TYPESETTING INDUSTRY OF THE UNITED STATES

ADOPTED BY THE INTERNATIONAL TRADE COMPOSITION ASSOCIATION

ARTICLE I—PURPOSE

1. This Code is set up for the purpose of increasing employment, establishing fair and adequate wages, effecting necessary reduction of hours, improving standards of labor, and eliminating unfair trade practices, to the end of rehabilitating the Typesetting Industry and enabling it to do its part toward establishing that balance of industries which is necessary to the restoration and maintenance of the highest practical degree of public welfare.

2. It is the declared purpose of the adherents to this code to bring the rates of wages paid within the Typesetting Division of the Graphic Arts to such levels as are found necessary for the maintenance of the highest practicable standard of living.

ARTICLE II—PARTICIPATION

1. Participation in this Code, and in any subsequent revision of or addition to this Code, shall be extended to any person, partnership, or corporation engaging in the operation of a Typesetting business, and who accepts his proportionate share of the cost and responsibility, as well as the benefits of such participation.

2. Any person, partnership, or corporation operating within the Graphic Arts Industry, who sells typesetting services to the printing and publishing trades, shall conform to the requirements of this Code.

3. Subscription fees or other assessments incident to gathering of statistics, preparation of and administration of this or subsequent Codes of fair competition, if any, shall be levied by the National Executive Committee hereinafter designated for administration of this Code.

ARTICLE III—ADMINISTRATION

1. For the purpose of administering this Code, The International Trade Composition Association is designated as the National Association for coordination of the efforts of the various typesetting plants and industry organizations and of the National Executive Committee set up for executive administration of this Code with the Government in achieving the objectives of the National Industrial Recovery Act.

A—NATIONAL EXECUTIVE COMMITTEE

1. The National Administrative function shall be vested in a National Executive Committee of five (5) members, composed of four (4) elected representatives (one [1] each from the four [4] regional districts of the United States) and the President of The International Trade Composition Association.

2. The National Executive Committee shall function through the appointed Commissioner of The International Trade Composition Association who shall be the executive representative of the National Executive Committee of the Typesetting Industry on the National Executive Committee set up for control of the Graphic Arts as may be required by the Government.

B—REGIONAL DIVISIONS

1. For purposes of administration the Typesetting Industry shall be divided into four (4) regional divisions as follows:

NORTHEASTERN DIVISION :

Headquarters, New York, N.Y. Embracing eleven states and the District of Columbia: Maine, Vermont, Massachusetts, New Hampshire, Connecticut, Rhode Island, New York, Pennsylvania, Maryland, New Jersey, Delaware, and the District of Columbia.

SOUTHEASTERN DIVISION :

Headquarters, Birmingham, Alabama. Embracing fifteen states of: Georgia, Florida, Alabama, Mississippi, Louisiana, Virginia, West Virginia, North Carolina, South Carolina, Tennessee, Kentucky, Missouri, Arkansas, Oklahoma, and Texas.

MID-WESTERN DIVISION :

Headquarters, Chicago, Illinois. Embracing twelve states of: Ohio, Indiana, Illinois, Michigan, Minnesota, Wisconsin, North Dakota, South Dakota, Iowa, Colorado, Nebraska, Kansas.

WESTERN AND PACIFIC COAST DIVISION :

Headquarters, Los Angeles, Calif. Embracing ten states of: California, Idaho, Oregon, Montana, Wyoming, Washington, Nevada, Arizona, New Mexico, and Utah.

C—REGIONAL EXECUTIVE COMMITTEEMEN

1. The four (4) regional Executive Committeemen composing the National Executive Committee shall be elected by their respective divisions immediately following the approval of this Code and the organization of the regional divisions.

2. Each division shall also elect an alternate Committeeman who shall in case of the absence or inability of the elected Committeeman, serve as the executive representative with equal power.

3. A Temporary National Executive Committee shall be appointed by The International Trade Composition Association upon approval of this Code by the President of the United States, which Committee shall act until its successors are elected by their respective regional divisions.

D—LOCAL REPRESENTATION

1. Members of each division shall designate and establish their own State and local administrative agencies. Each division shall be independent and self-governing through elected representatives from its locals to a Committee of the division, in respect of all conditions and problems relating exclusively to such division. Each division shall be controlled by the elected Executive Committeeman, who shall be a member of the National Executive Committee. Each division, for the purpose of equitable administration of this Code, shall be subdivided into as many State and local divisions as is required for equitable local representation and for regional administration.

ARTICLE IV—LABOR CODE

A—GENERAL

1. The following labor code is hereby established for the Type-setting Industry: The Typesetting Industry as required by Section 7(a) of Title I, of the National Industrial Recovery Act, subscribes to the following provisions which are conditions of this Code:

“(1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection;

“(2) That no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and

“(3) That employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President.”

2. It is clearly understood that the foregoing paragraphs do not impair in any particular the constitutional rights of the employee and employer to bargain individually or collectively as may be mutually satisfactory to them; nor does it impair the joint right of employer and employee to operate an open shop.

3. Nothing in this Code is to prevent the selection, retention, and advancement of employees on the basis of their individual merit, without regard to their affiliation or nonaffiliation with any labor organization.

B—NATIONAL LABOR CODE

(a) The maximum working hours for all employees, throughout the United States, including proprietors, superintendents, and foremen performing any work incident to the manufacturing or finishing processes of typesetting shall not exceed 36 hours in any work week.

(b) The minimum wage for all skilled workers (male or female), according to the classifications that follow, shall be 90 cents per hour. The minimum wage for all unskilled workers (male or female), according to classification that follow, shall be 30% of the minimum

wage actually paid to skilled workers, except that no worker shall receive less than \$12.00 per week.

(c) No person, male or female, under 16 years of age, shall be employed by any typesetter.

(d) The classification of skilled workers shall be as follows: Hand Compositors, Layout Men, Linotype Operators, Linotype Machinists, Monotype Keyboard Operators, Monotype Caster Machinists, and Proofreaders.

(e) The classification of unskilled labor shall be as follows: All Machine and Materials Casting Operators, excepting skilled workers as defined under skilled classification, Copyholders, Errand Boys, Bank Boys, Porters, First Year Apprentices, and all other unclassified workers.

C—REGIONAL LABOR CODES

1. Each of the locals throughout the four regional divisions of the Typesetting Industry shall formulate fair and adequate labor codes for their local communities. In no instance shall the maximum hours exceed nor minimum wages be less than prescribed in this Code under Article IV—Section B.

2. All agreements of locals within the Typesetting Industry as well as the agreement requirements of this Code shall, after approval, be subject to adjustment in conformity with maximum hours of labor, minimum rates of wages, and working conditions as shall be agreed between employing printers and skilled and unskilled labor employed in typesetting departments and as shall meet with final approval of the President of the United States or his administration for the printing industry.

ARTICLE V—COST CODE AND STATISTICS

1. Every typesetter shall be required to (a) install and maintain a Uniform Cost Finding System for ascertaining costs and for basing Selling prices on every individual job produced, or (b) shall base his selling prices on economically fair cost rates determined for him by the local Cost Committee from composite records of costs taken from representative plants in the community.

2. All cost systems installed and maintained by individual plants or approved by local Cost Committees must conform in principle and method to a Uniform Cost Finding System and procedure for arriving at a reasonable cost of production, as prescribed by the National Executive Committee.

3. Based upon Cost and Production records gathered and compiled in each local community, the Cost Committee at the direction or upon approval of the State and regional Executive Committees may publish all facts of average costs, average production, and average unit costs, and based upon such averages may set up Minimum Cost Schedules for classified production within their communities as may be deemed practical.

B—COST COMMITTEES

1. Each of the locals composing the regional divisions of the Typesetting Industry shall create a Cost Committee, which committee shall

function under direction of the National Executive Committee in connection with installation and supervision of cost systems, in the furnishing of cost composites to Federal and industry authorities, and in the enforcing of provisions of this section of the Code. The Cost Committee for each local shall promptly gather all statistical data required by the National Executive Committee and shall be empowered to examine or cause to be examined by duly authorized accountants any and all of the affairs or facts of any plants within their jurisdiction, with proper provision for keeping reports confidential from individuals. They shall also have power to levy fees for cost of supervision of systems and for compiling data or may impose charges against individual plants for particular investigations or services.

C—STATISTICS

1. In order to provide data necessary for the administration of the National Recovery Act, the members of the Typesetting Industry shall furnish, and the National Executive Committee shall gather, such statistics as shall be required from all members of the industry.

2. The International Trade Composition Association shall designate the authorized person, firm or association who shall undertake this work, shall fix the compensation therefore and shall also designate such person, firm, or association as the national authority for advising the International Trade Composition Association and the National Executive Committee in all matters pertaining to the formation and installation of the Uniform Cost Finding System as hereinbefore provided.

ARTICLE VI—INDUSTRY REGULATIONS

A—MARKETING CODES

The National Executive Committee may establish a marketing code with provisions with respect to:

1. Group selling;
2. Classification of outlets and recognition of standard and economically priced differentials, among divisions or locals;
3. Cooperative advertising for the Industry;
4. The collection and interchange of credit information;
5. The cooperative administration of insolvent debtors.

B—TRADE-PRACTICE RULES

1. Each division and each local of such division, shall submit to the National Committee immediately following the adoption of this Code, the division or local trade practices as approved by such division or locals of divisions, for ratification by the National Executive Committee. Any division or local within a division may adopt and put into practice their own trade-practice rules relating to the practices peculiar to that division or local, so long as such trade practices are approved by the National Executive Committee, and are within the scope of this Code or its amendments when approved by the President of the United States.

2. The following trade-practice rules are laid down for this industry, violation of which constitutes unfair trade practices:

- (a) Violation of credit terms agreed upon.
- (b) Violation of terms agreed upon for handling of metal accounts with customers.
- (c) Failure to observe agreed methods of measuring and billing composition production.
- (d) Failure to apply rules of agreement respecting legitimate charges for extras.
- (e) Fraudulent and deceptive practices, including false invoicing or misleading advertising, mislabeling, or misbranding.
- (f) The misappropriation of a competitor's business by inducing breach of contracts, espionage, piracy of styles or designs, imitation of trade names or enticement of employees.
- (g) Wilful or malicious defamation of competitors or the disparagement of competitors' products.
- (h) The sale of composition below the cost as determined by the uniform cost system prescribed by the National Executive Committee.
- (i) The giving of secret rebates, free composition services, discounts, advertising allowances, or the providing for the absorption of transportation costs.
- (j) Commercial bribery in the form of gratuities to customers or employees of customers, or the offering of rewards or premiums to purchasers.

ARTICLE VII—POWERS

A—THE NATIONAL EXECUTIVE COMMITTEE

1. The National Executive Committee shall directly plan and coordinate the affairs of the Typesetting Industry in cooperation with the Graphic Arts administration as may be set up by the agents of the President of the United States for administration of the Graphic Arts or any major division in which the Typesetting Industry may be classified.

2. The members selected by the various divisions of the Typesetting Industry to act on the National Executive Committee shall be empowered by the said divisions to act for them conclusively in respect to all matters before the Committee for consideration and within its jurisdiction. In turn, the National Executive Committee shall be subject to powers which may be vested in agents of the President of the United States, who may be designated for administration of the Graphic Arts, so long as such vested powers shall in no sense violate the rights of the members of the Typesetting Industry to equitable representation in such Graphic Arts control and self-governing in respect to all conditions and problems relating exclusively to the Typesetting Industry.

3. The National Executive Committee shall have direct powers and duties as provided herein, and in addition thereto it shall:

- (a) Require, from time to time, such reports from divisions as, in its judgment, may be necessary to advise it adequately of the administration and enforcement of the provisions of this Code.

(b) Upon complaint of interested parties, or upon its own initiative, this Committee shall make such inquiry and investigation into the operation of this Code as may be necessary.

(c) This Committee shall also make rules and regulations necessary for the administration and enforcement of this Code and may delegate any of its authority to any other National Executive Committee as may be designated for direct administration of the Graphic Arts, who shall carry out the provisions of this Code as they apply to divisions or members of divisions throughout the Typesetting Industry. The National Executive Committee, in cooperation with the direct administrative agency approved for the Graphic Arts Industry, through the Commissioner of the International Trade Composition Association, who shall represent the Typesetting Industry on such Graphic Arts administrative body, shall determine and, from time to time, revise the several parts of this Code, which revisions shall be subject to the approval of the properly designated representative of the President of the United States, under the National Industrial Recovery Act.

(d) The four Committeemen elected from the four regional divisions shall act within their respective divisions as individual executives of the National Executive Committee for the enforcement of this Code.

ARTICLE VIII—GENERAL

1. No provision in this Code shall be interpreted or applied in such a manner as to:

- (a) Promote monopolies,
- (b) Permit or encourage unfair competition,
- (c) Eliminate or oppress small enterprises, or
- (d) Discriminate against small enterprises.

2. This Code or any of its provisions may be cancelled or modified and any approved rule issued thereunder shall be ineffective to the extent necessary to conform to any action by the President under section 10 (b) of the National Industrial Recovery Act.

3. The administrative agency of the Graphic Arts Industry as may be set up by the Government shall, from time to time, make to the National Executive Committee, under the provisions of this Code, such recommendations, including amendments of the Code, as in their judgment will aid the effective administration of this Code or as may be necessary to effectuate within the Typesetting Industry or within any division thereof the purpose of the National Industrial Recovery Act.

4. Amendments to this Code may be proposed by any established division to the National Executive Committee, or may be initiated by the National Executive Committee and when approved by the President of the United States or his agent shall be effective.

5. In order to avoid undue delay in making effective throughout the Typesetting Industry a Code of Fair Competition, the following provisions are adopted, and other provisions of this Code in conflict therewith are suspended until such time as the President of the United States shall determine that the purposes of the Article have been accomplished.

(a) Each established division shall, immediately following the perfecting of its division organization, submit as promptly as possible to the National Executive Committee a complete division agreement in conformity with the general provisions of this Code. Such divisional agreement, if found substantially to promote the purposes of the National Code, shall be accepted provisionally by the National Executive Committee and by the administrative agency of the Graphic Arts and its immediate enforcement authorized. These National Committees shall thereupon proceed as rapidly as practicable to make such adjustments of agreements between locals and divisions in respect of hours, wages, and costs of the several divisional agreements as may be necessary to bring them into conformity with the provisions of the law and of the several codes to be approved for the Graphic Arts and this particular Code as set up for the Typesetting Industry by:

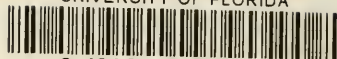
(1) Consultation and negotiations between the divisions affected.

(2) By its own findings after full consideration of all factors involved.

(b) If any division or local of a division fails to submit within a reasonable time the agreement provisions as provided in subsection (a) of this Article, and if, in the judgment of the National Executive Committee, such failure is unduly delaying the effective operation of this Code, the said Committee is authorized to act as a divisional agency for said division or local and to submit on its behalf the necessary agreement provisions which, upon approval by the President, shall be effective until the said division will have submitted satisfactory agreement provisions.

6. This Code shall be in effect beginning ten days after its approval by the President of the United States.

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